

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SECURITIES AND EXCHANGE COMMISSION :

Plaintiff,

05 Cv 5231 (LTS)

- against -

**NOTICE OF MOTION
TO FILE DECLARATION
UNDER SEAL**

AMERINDO INVESTMENT ADVISORS INC.,
ALBERTO WILLIAM VILAR, and
GARY ALAN TANAKA,

Defendants.

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NOTICE OF MOTION TO FILE DECLARATION UNDER SEAL

PLEASE TAKE NOTICE, that upon the Memorandum of Law submitted herewith, Loeb & Loeb LLP will move this Court before Hon. Laura Taylor Swain at the Courthouse located at 500 Pearl Street, New York , New York 10007 as soon as counsel can be heard for an order pursuant to Rule 5.2(d) of the Federal Rules of Civil Procedure allowing Loeb & Loeb LLP to file its declaration in support of its motion to withdraw as counsel for Amerindo Investment Advisors Inc. in the above-captioned action and to stay the matter as to Amerindo Investment Advisors Inc. under seal.

Dated: New York, New York
June 4, 2010

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